IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 30TH JANUARY 2007 / 10TH MAGHA 1928

WP(C).No. 2484 of 2007(U)

PETITIONER:

A.K. VAREED, AGED 70,
S/O.KOCHUVAREED, ALAPPATU HOUSE,
KURIYACHIRA, THRISSUR DISTRICT.

BY ADV. SRI.G.SREEKUMAR (CHELUR)
SRI.K.RAVI (PARIYARATH)

RESPONDENTS:

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1. THE DHANALAKSHMI BANK LTD.,
ZONAL OFFICE, THRISSUR, REP. BY ITS
AUTHORISED OFFICER, THRISSUR.

2. THE DISTRICT COLLECTOR, THRISSUR.

R1 BY ADV. SRI.C.K.KARUNAKARAN,SC,DHANALAKSHMI BANK.

R2 BY G.P.SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Thottathil B. Radhakrishnan, J.

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W.P.(C)No.2484 of 2007

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Dated this the 30th day of January, 2007.

JUDGMENT

Learned counsel for the petitioner, after urging different grounds, ultimately confines his submissions to a request that the petitioner may be granted four months' time to liquidate the outstandings and save the property from distress. Under such circumstances, after hearing the learned counsel for the petitioner and the learned Government Pleader, this writ petition is disposed of directing that further distress action on the basis of Ext.P1 will stand deferred for a period of five months if the petitioner deposits an amount of Rs.5 lakhs per month, payable on or before the 10th of every month, commencing from February, 2007 and wipes off the entire balance outstandings by the termination of five months from today. In case the petitioner commits any default in keeping off the

aforesaid payment schedule, the respondents will be at liberty to forthwith proceed with Ext.P1, since I do not find any illegality on the face of it.

Thottathil B.Radhakrishnan,
Judge.

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